THE IMPACT OF SOCIAL MEDIA ON CHILDREN: AN OVERVIEW

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Abstract

Social media is a fast growing platform for children/younger people to communicate, express themselves and share content of all types. Social media and smartphones have become a part of our daily lives. Children access these technologies and the internet at younger age. It has given rise to a new cultural pattern that changed the entire social, behavioral scenario of the society and the way people interact with each other. As a tool, social media is a double-edged sword; while it has many benefits, it can also influence children in unhealthy ways. Most websites offer communication through the use of Facebook, Myspace, Twitter, Instagram, YouTube, LinkedIn and many various blog formats which are easily available to them and affects them at multiple levels: behaviourally, mentally and socially. Social Media affects children differently, depending on their personalities, their gender, the nature of their home and social environments, and their life experiences. The society and law makers have a great responsibility in monitoring these problems such as cyberbullying, online grooming, FOMO (fear of missing out) depression, anxiety, increasing narcissism, sexting, and excess to inappropriate contents. This paper will explore the various positive as well negative effects on children and analyse how those benefits can be enhanced while discussing the legal safeguard with special reference to ASEAN countries.

Keywords: impact, social media, children, Brunei Darussalam.

Introduction

Social media is increasingly becoming a part of everyday life for many children, with user numbers of social media platforms and applications increasing exponentially each year. Social media refers to websites and applications where users can create ideas, share information, or participate in social networking.[4] Social media activities can include interacting with others on social networking sites like Facebook, reading online blogs written by a favorite author, watching YouTube clips, or exploring a virtual world in an online game. Social media use can be done as a discrete activity that individuals pursue on their own (e.g., reading a Facebook timeline) or a collaborative activity done with other people (e.g., playing an online game with other players). Social media can also play an important role in helping children connect and interact with their social networks. While social media is broader than just social networking, it is important to note that many social networking sites impose an age restriction on when a potential user can join the site. For instance, Facebook and Snapchat require children to be thirteen years old before they can join, and this age restriction is in line with the Children's Online Privacy Protection Act.[5] Safeguards such as age restrictions are imposed by these sites to protect children from online threats. However, in reality, underage users are joining and interacting within social networking sites. Therefore, preteens or children (those aged under thirteen, the term "child," may often be used to refer to children as well as adolescents)[6] may be using various types of social media without a full understanding of the consequences. The research examining children role and social media is still relatively under-researched.[7] It should, be noted

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[4] Fadley Faisal. (2017). AGC warns youths of cybercrime, social media risks, *Borneo Bulletin*. 15 March 2017 https://borneobulletin.com.bn/agc-warns-youths-cybercrime-social-media-risks/ browsed on 5 Aug 2018.

[5] Jutta Croll. (2016). "*Let's Play it Safe: Children and Youths in the Digital World-Assessment of the Emerging Trends and Evolutions in ICT Services*" White Paper for the ICT Coalition for Children Online.

[6] The definition of "child" may be different in the economies in this report, UNICEF's definition is used, and "child" refers to a person who is under 18 years old except for any country that legalised the concept of adulthood younger than the standard.

[7] UNICEF EAPRO. (2015). Child Protection in the digital age UNICEF. "*Legal Protection from Violence: Analysis of domestic laws related to violence against Children in ASEAN Member States*." Bangkok. 2015 https://www.unicef.org/eapro/Child_Protection_in_the_Digital_Age.pdf accessed on 17 Aug 2018

that in the reviewed literature, the term "child," may often be used to refer to children as well as adolescents.[8] The United Nations Convention on the Rights of the Child (UNCRC) spells out the rights of children everywhere: the right to survival; to develop to the fullest; to protection from violence, abuse and exploitation; and the right to participate fully in family, cultural and social life; and the right to privacy and many more.[9] The UNCRC is a UN international treaty that sets out the basic human rights that all children everywhere are entitled to. It was drafted in 1989 and came into force in 1990. There are 54 articles in the CRC that spell out all the rights of all children. Every country in the world has ratified the CRC except the United States. It is a very important document because it makes it clear that children have human rights, individual identities, are in need of some protection and have voices that must be listened to and given due weight.[10]

In this fast race, children's rights are frequently over looked. Crimes against children, including sexual abuse, trafficking and exploitation, are often induced or facilitated by these very technologies that are meant to offer benefits to the communities and their individual components.[11] True, since the early days of the Internet, States recognized the risk of harm against children and, through the Optional Protocol to the Convention on the Rights of the Child. [12] The sale of children, child prostitution and child pornography, gave effect to international legislation banning online child sexual abuse materials.[13] Apart from international safeguards, states also legislated domestic laws to protect the children. The children have the right to survive, grow and to be protected from violence, exploitation and abuse in all settings. This includes online and offline environments. It is a sad reality that violence against children continues to persist in all countries around the world including ASEAN countries.[14] The ASEAN leaders adopted the Declaration on the Elimination of Violence against Women and the Elimination of Violence against Children in 2013.[15] In late 2015, ASEAN's Regional Plan of Action on the Elimination of Violence against Children was approved. The Regional Plan of Action includes the development of preventive measures against online violence as a priority action.[16]

There are important issues that still need to be addressed regarding the risks of children using social media as well as concerns about children's developmental readiness to be active online.[17] This is particularly pertinent when considering how more traditional screen media (i.e., television) can now be integrated with the Internet and social media. It should also be remembered that the role of the parents need to be deliberated because they are often the ones who provides children with smartphones and tablets to access various types of social media.

Indeed, our accumulated knowledge about the role of media in children's lives suggests that they can have both positive as well as negative effects on children. For example, routine violence on television, films and video games, which is common to media content around the globe, has been found to affect children at multiple levels: behaviourally (increased aggressive behaviour), mentally [18](heightened fear and anxiety towards the world they live in) and socially (desensitization to the suffering of fellow humans and legitimization of violence as the primary way for resolving human conflict). Even violence portrayed in order to

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[8] Don Pember and Clay Calvert , Mass Media Law, McGraw-Hill Education, 19 edition New York, NY

[9] UNICEF. (2016). *Child Helpline International's first report on its LEAP (Leadership in Activating and Empowering Child Helplines to Protect Children Online) project*. https://www.unicef.org/protection/files/LEAP_report_CHI_and_UNICEF_(final).pdf ,

[10] United Nations. (1989). General Assembly Session 44 Resolution 25. *Convention on the Rights of the Child* A/RES/44/25. http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/44/25 accessed on 16 Sept 2018

[11] *Ibid*

[12] Committee on the Rights of the Child Report. (2014). Day of General Discussion on "*Digital Media and Children's Rights*" at https://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2014/DGD_report.pdf accessed on 17 Aug 2018.

[13] United Nations. (2000). *Human Rights Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*. Ratification and accession by General Assembly resolution A/RES/54/263. Entered into force on 18 January 2002 at https://www.ohchr.org/en/professionalinterest/pages/opsccrc.aspx

[14] UNICEF EAPRO. (2012). *Child Maltreatment: Prevalence, Incidence and Consequences in the East Asia and Pacific Region: A Systematic Review of Research*.

[15] ASEAN RPA. (2013). *ASEAN Regional Plan of Action of Elimination on Violence against children in 2013* (ASEAN PRA on EVAC) https://violenceagainstchildren.un.org/sites/violenceagainstchildren.un.org/files/document_files/asean_regional_plan_of_action_on_elimination_of_violence_against_children_adopted.pdf

[16] *Ibid*

[17] Syazwani Hj Rosli. (2018). Brunei Darussalam continues to take the threat of cybercrime very seriously and undertake significant efforts to ensure the protection of the nation and its people. This was stated by Minister at the Prime Minister's Office Dato Seri Setia Awang Haji Abdul Mokti bin Haji Mohd Daud while delivering his speech at the opening of the 11th China-ASEAN Prosecutors-General Conference (11th CAPGC). *Borneo Bulletin*. 15 August 2018. https://borneobulletin.com.bn/minister-calls-for-vigilance-against-new-cyber-threats/ browsed on 25 Aug 2018.

[18] Subrahmanyam, K., Kraut, R. E., Greenfield, P. M., & Gross, E. F. (2000). *The impact of home computer uses on children's activities and development, published in Future of Children-10*. p123-144. n.pl: n.pb.

make a moral or educational point, to present social conflicts or children's rights being abrogated can have negative impacts on viewers.[19] Media violence affects children differently, depending on their personalities, their gender, the nature of their home and social environments, and their life experiences.[20]

In 2007, there were 500,000 sexually seductive web pages and 250 websites showing nude video clips of teenagers in Thailand,[21] some of them are self-produced. In other countries in the region, there is a serious lack of research on these issues. and data on the prevalence of child abuses online is quite unknown.

For these reasons, it is imperative for us to be more aware, cautious and examine the issues of Child Pornography, Child Sexual abuse and Sexting, Child grooming, Identity theft, Cyberbullying and Cyberstalking, Mental ill health, narcissism and behavioral disorder among children. We will try to examine these issues in this article one by one and also study what social media offers good and positive improvements in our children.[22]Therefore, it is necessary for us to priorities our obligations and play an active role in educating our younger generation how to behave safely online."[23]

Social media and children
Social media is a term for the online platforms that people use to connect with others, share media content, and form social networks. Some of the most popular platforms include Facebook, Twitter, WhatsApp, Tumblr, Instagram, Pinterest, Skype, YouTube, Viber and Snapchat. [24]
Using social media means **uploading and sharing content**. This includes:
- creating online profiles
- posting comments or chatting
- uploading photos and videos
- sharing links
- tagging photos and content
- creating and sharing game modifications
- remixing or changing existing content and sharing it.

Social Media and ASEAN Countries
Well over half of the world's population is now online, with the latest data showing that nearly *a quarter of a billion* new users came online for the first time in 2017.[25]More than a quarter of the world's mobile social media users live in one region: East Asia. This is partly thanks to the sheer size of China's population, but it's also partly due to the peculiarities of infrastructure in Asia-Pacific. Mobile social media is dominant in Southeast Asia too; Indonesia, Malaysia, the Philippines, Thailand and Vietnam are all «mobile first' nations when it comes to internet and social media access.[26] South Korea tops the global rankings for mobile social media usage. Qatar comes in at second place, with two-thirds of the nation's population using social media via mobile devices every month.[27] Eighty five percent audience of Facebook now connects via mobile phones, with 83% accessing via smartphones, and 2% via feature phones.[28]

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[19] UNICEF. (n.d). *Positive and negative Communicating with children*. at
https://www.unicef.org/cwc/cwc_58701.html browsed on 25 Aug 2018.
[20] Schafer, D.M. (2012). *Moral choice in video games: An exploratory study*. Media Psychology Review, 5, accessed from http://mprcenter.org/review/shafermoralchoicegames/?print=pdf browsed on 25 Aug 2018
[21] Pol. Col. Naras Savestanan. (2011). *Thailand's Response to Online Childs Response to Online Child Sexual Abuse and Exploitation: Its Progress and Challenges.* The Commission on Crime Prevention and Criminal Justice: 20th CCPCJ. Ausria: Vienna. 12 April.
https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ_Sessions/CCPCJ_20/Thematic_Discussions/Asian-Group_Thailands-response_Savestanan.pdf browsed on 26 Aug 2018
[22] Azlan Othman. (2017). Cybercrime on the rise ,.Pehin Orang Kaya Indera Pahlawan Dato Seri Setia Awang the Minister of Education, said. "This is because the National Education System for the 21st Century (SPN21) not only focusses on academic field but also stands for perfecting human development through a holistic and dynamic curriculum as one of the best approaches to tackling this global social problem." *Borneo Bulletin*. 29 November 2017. Available at https://borneobulletin.com.bn/cybercrime-on-the-rise/ browsed on 7 Aug 2018
[23] Extract of Sabda of Her Royal Highness Paduka Seri Pengiran Anak Isteri Pengiran Anak Sarah on the occasion of World Telecommunication and Information Society Day (WTISD) Event on 17 May 2012
[24] Antheunis, M., Schouten, A. & Krahmer, E. (2016). *The role of networking sites in early adolescents' social lives. Journal of Early Adolescence*. 36(3). Accessed from http://journals.sagepub.com/doi/abs/10.1177/0272431614564060 browsed on 26 Aug 2018.
[25] Simon Kemp. (2018). *We are Social*. The New 2018 Global Digital Suite of reports. https://wearesocial.com/uk/blog/2018/01/global-digital-report-2018 browsed on 25 Aug 2018.
[26] *Ibid*., Special Report (2017). *We are Social*. Digital in 2017 Southeast Asia Regional Overview. https://wearesocial.com/special-reports/digital-southeast-asia-2017 browsed on 25 Aug 2018
[27] Everette E. Dennis, Justin D. Martin, and Robb Wood, Northwestern University in Qatar Conducted survey on *Media Use In The Middle East 2017*

Internet users in Southeast Asia are amongst the most active in the world, according to a report "We are Social report" that average users in the Philippines, Thailand, Vietnam, Indonesia and Malaysia all spend more than 5 hours each day using the net. More than half of Southeast Asia's population now uses the internet, with the number of internet users around the region growing by more than 30% – or 80 million new users in the past 12 months alone[29]. Southeast Asia is poised to be a leader in mobile internet usage in 2018, according to a report by Google and Temasek.[30]The company also find that men are more active on the internet than women, accounting for more than 55% of all users:[31] Across ASEAN countries, internet penetration varies from as much as 73% of the population in Singapore to little more than 1% in Myanmar. Southeast Asia is now the world's third largest region for internet users with more people online than the entire U.S. population and internet is having a bigger impact on the region than originally thought, according to a report co-authored by Google[32]. Filipinos are the greatest consumers of social media, spending more than 3.4 hours on social media activities each day. Malaysians, Thais, and Indonesians all spend more than two hours per day on social media. Filipinos spend the most time on social media out of our Key 30 economies, clocking in more than 3.5 hours per day. At the other end of the scale, the Japanese spend an average of less than 20 minutes per day on social media.[33]

Negative Effects of Social Media on Children

In the last few years, we have seen an explosion of social media and networking sites like Facebook, Twitter and My Space etc.; the children cherish this new and high-tech way of remaining connected with friends and meeting new people.[34] However, it is also important for parents to keep themselves aware of some of the negative effects of these sites, and how to protect their children.[35] Here, we are listing the top insidious effects that social media may have on children. Some of this information is taken from a recent study conducted by researchers at University of Rome. They conducted a survey of 50,000 people to know about the effects of social media on their lives. It is apparent from the results that overall the social media has a negative effect on the social well-being of an individual.[36]

To ensure child safety online, children world over run the risk of facing increased cases of online grooming, inappropriate material, indecent/pornographic exposure, misguided advertising, online gambling, racism, cyberbullying, sexting, to mention but a few. As technology and social networking expands, more avenues to endanger the children and young adults are opened up.[37]

The laws in Brunei, meet international standards, but there are several crucial gaps in laws that mitigate the protection to all children exploited specially in prostitution. Provisions concerning child prostitution in Brunei stated in the Women and Girls Protection Act. Brunei have specifically criminalized the act of exchanging sexual services of children for consideration ('obtaining'), though several of these provisions only cover the payment of money for sexual intercourse.

The list of social problems/crime using the social media, that are many but we may be categorized few of them as follows: -
- Child Pornography
- Child Sexual abuse and Sexting
- Child grooming
- Identity theft
- Cyberbullying and Cyberstalking
- Mental ill health, narcissism and behavioral disorder

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http://mideastmedia.org/survey/2017/uploads/file/NUQ_Media_Use_2017_v18%20FINAL.pdf browsed on 25 Aug 2018

[28] *Ibid*

[29] Simon Kemp. (2017). *We are Social*, Digital in 2017 Southeast Asia Regional Overview
https://wearesocial.com/special-reports/digital-southeast-asia-2017 browsed on 20 Aug 2018

[30] Rayna Hollander. (2017). Southeast Asia could be a leader in mobile internet usage next year. *Business Insider*. 13 Dec 2017.

[31] *Ibid*

[32] Jon Russell@Jonrussell. (2017). *Google: Southeast Asia's Internet Economy Is Growing Faster Than Expected.* https://techcrunch.com/2017/12/12/google-southeast-asias-internet-economy-is-growing-faster-than-expected/ browsed on 25 Aug 2018.

[33] *Source: GlobalWebIndex* browsed on 25 Aug 2018.

[34] Sampasa-Kanyinga, H., & Lewis, R. F. (2015). Frequent use of social networking sites is associated with poor psychological functioning among children and adolescents. *Cyberpsychology, Behavior, and Social Networking. 18*, 380–385.

[35] Pantic, I. (2014). Online social networking and mental health. *Cyberpsychology, Behavior and Social Networking, 17*, 652–657.

[36] Jose van Dijck. (2013). *The Culture of Connectivity: A Critical History of Social Media*. Published to Oxford Scholarship Online.

[37] Andrew V. Beale and Kimberly R. Hall. (2007). Cyberbullying: What School Administrators (and Parents) Can Do The Clearing House *A Journal of Educational Strategies, Issues and Ideas*, 81(1):8-12

1. Child Pornography

Child pornography is considered to be any depiction of a minor or an individual who appears to be a minor who is engaged in sexual or sexually related conduct. This includes pictures, videos, and computer-generated content. Even altering an image or video so that it appears to be a minor can be considered child pornography.[38]

Possession and distribution of child pornography[39] is a sex crime that is punishable under state laws. This crime typically occurs over the internet or by downloading files from the internet that contain illegal images. One important exception to the category of illegal child pornography is artistic renderings or depictions that have serious literary, artistic, political, or scientific value. For instance, an anatomy book explaining the anatomy of a child would be exempt from a child pornography categorization.

The laws of ASEAN countries can be accessed on five criteria:
- Are there specific laws criminalizing child pornography?
- Does existing law include a legal definition of child pornography?
- Is the possession of child pornography a crime?
- Is the distribution of child pornography via computer and the internet a crime?
- Are Internet Service Providers (ISPs) required to report suspected child pornography to law enforcement? In reply of this question, No ASEAN country has system that Internet Service Providers (ISPs) reporting to law on child pornography.

Brunei has specific provisions addressing child pornography. Instead, some acts connected to child pornography fall within general penal law provisions on 'obscene articles'. Child pornography mediums encompassed by law in Brunei stated in Section 292(2). Malaysia, Singapore, Indonesia Vietnam and Thailand don't have specific laws against child pornography but have a general law for pornography. Children as young as age five are abused on camera several times a day in Philippines as buyers in different time zones link-up online. Philippines are exploiting their own kids for as little as £2 as part of a made-to-order cybersex industry worth £1billion a year. The Philippines is now the global epicenter for child sex abuse on web camera.[40] Very general provisions on obscene articles can also create inconsistencies in the application of criminal laws by different law enforcement agencies and courts. This may cause a lack of legal protection for children[41] and this is because, despite efforts, conviction rates remain low. We need tougher laws for children protection and smart law enforcing agencies.

2. Child Sexual abuse[42] and Sexting

The definition of sexual abuse is stated in the Children and Young Persons Law Section 2 Sub Section (3) (c): "a child or young person is sexually abused if he has taken part, whether as a participant or an observer, in any activity which is sexual in nature for the purposes of any pornographic, obscene or indecent material, photograph, recording, film, videotape or performance or for the purpose of sexual exploitation by any person for that person's or another person's sexual gratification".[43]

Sexting is the sending or forwarding of sexually explicit photographs or videos of the sender or someone known to the sender via cell phone.[44] It has become common practice among young people, as cell phones are being given to adolescents at ever younger

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[38] Suraj, F. (2014). Ensuring safety of children from negative impacts of cyberspace. *The Borneo Bulletin.* Retrieved from: http://borneobulletin.com.bn/ensuring-safety-children-negative-impacts-cyberspace/ browsed on 24 Aug 2018.

[39] For the purposes of this study, unless provided otherwise, the term "child pornography" refers to any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes in accordance with Article 2 (c) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

[40] Jon Lockett. (2018). RAPE FOR RENT Inside Philippines' £1bn 'made to order' child sex abuse industry making sick vids for pedophiles. *The Sun.* 27th July https://www.thesun.co.uk/news/6868807/philippines-child-sex-abuse-vids-brit-paedos/ browsed on 25 Aug 2018.

[41] Andy Brown. (2016). Regional Communication Specialist for UNICEF East Asia and Pacific. Philippines Department of Justice. Assistant Secretary Monica Pagunsan says. "The passage of an Anti-Child Pornography Law and creation of the Office of Cybercrime gave impetus to the campaign against online child sexual abuse. *UNICEF connect.* 7 June 2016. https://blogs.unicef.org/east-asia-pacific/safe-harm-tackling-online-child-sexual-abuse-philippines/ browsed on 26 Aug 2018.

[42] Increasingly the term 'child abuse images' is being used to refer to the sexual exploitation of children and adolescents in pornography. This is to reflect the seriousness of the phenomenon and to emphasize that pornographic images of children are in fact records of a crime being committed. However, many laws use the term 'child pornography' .

[43] Andrea Slane. (2013). Sexting and the Law in Canada. *Canadian Journal of Human Sexuality.* 22(3).

[44] Hinduja S, Patchin JW. (n.d) *State Sexting Laws: A Brief Review of State Sexting and Revenge Porn Laws and Policies.* Available at http://cyberbullying.org/state-sexting-laws.pdf . Accessed 30 June 2018.

ages.The most extreme form of sexual abuse involves sexting. [45]Sexting is sending nude, semi-nude, or sexually explicit photos, and while legal between consensual adults it is, however, a risky activity because one has to trust that the other will not share the photo, even in the event of relationship changes. An estimated one-fifth of teens participate in sexting[46] and the risks can be greater than for adults. The Criminal Code of Canada prohibits the representation of children under 18 in a sexual manner and criminalizes the distribution of such material [47]. While this is, understandably, designed to protect children from harm, children can also be convicted for sharing sexual images of themselves.[48]

3.   Child grooming[49]

One of the most distressing aspects of the social media is the growing evidence that paedophiles may use fake accounts on the social media to make friendships with young children and teenagers.[50] They pretend to be of the same age to win children's confidence. They can then gain vital personal information like their schools and the places where they hang out. They can then use that information to bully and make sexual contact with their victims or exposing them to explicit imagery or content.[51]

It could lead to moral, emotional disorder and social problems. When discussing about sexual exploitation among children often come to our mind offences like child pornography, child prostitution, child being abused sexually but seldom we think about child being groomed for such sexual activities. In Malaysia, child grooming has not received so much attention by the public until recently a paedophile Richard Huckle[52] from United Kingdom make a confession that he had groomed and abused almost 200 Malaysian babies and children between 2006 until 2016 [53]. How such heinous crimes can continue for so long uncovered?[54] The answer to this is simple, the innocent children have been groomed by the pedophile so that they can pose as someone that can be trusted and intended no harm. Child grooming could be said as a cancer that silently kill its victim because the victim of child grooming never show any early symptom that they being groom for sexual exploitation and sometimes even the victim themselves do not even realized that they were being groomed.

Rarely have discussed on the measure to overcome the problem of sexual child grooming by Government agencies of ASEAN countries , particularly on legal measure as to whether the existing legislations are sufficient to curbing this issue.[55]

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[45] For the purposes of this study, the term "sexting" is the exchange of sexually explicit text messages, including photographs or images, via cell phones, or other mobile devices. Sexting Law & Legal Definitions, US LEGAL. http://definitions.uslegal.com/s/sexting/ visited on 24 Aug 2018.

[46] Rice E,Rhoades H, Winetrobe. (2012). *Sexually explicit cell phone messaging associated with sexual risk among adolescents. Pediatrics 130:667–673.*

[47] Andrea Slane. (2013). Sexting and the Law in Canada. *Canadian Journal of Human Sexuality.* 22(3).

[48] R v Sharpe (Supreme Court of Canada 26 January 2001) ("...materials that advocate or counsel sexual offences with children may qualify").

[49] For the purposes of this study, the term "online grooming" is the intentional proposal, through information and communication technologies, of an adult to meet a child who has not reached the age of sexual consent, for the purpose of engaging in sexual activities or producing child pornography, when this proposal has been followed by material acts leading to such a meeting in accordance with Article 23 of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (hereafter also referred to as "Lanzarote Convention").

[50] Litwiller, B. J., & Brausch, A. M. (2013). Cyber bullying and physical bullying in adolescent suicide: The role of violent behavior and substance use. *Journal of Youth Adolescence, 42*, 675–684.

[51] *Ibid.*

[52] Richard Huckle, 30, a photographer from Ashford in Kent, who posed as an English teacher and philanthropist in poor Christian communities in Kuala Lumpur.

[53] Karen McVeigh. (2016). Richard Huckle, 30, admitted an unprecedented 71 offences, including rapes, against young children aged between six months and 12 years between 2006 and 2014.Some of the 23 children identified in the charges were abused for years, including one from the age of three until 10. The number of his victims was believed to be much higher – investigators found a ledger and scorecard on his computer in which he awarded himself marks for different kinds of abuse of 191 girls and boys.
Briton, 30, will serve at least 25 years after admitting 71 offences against children aged between six months and 12 years, *The Gaurdian*. Internation Edition. June 2016. accessed on https://www.theguardian.com/uk-news/2016/jun/06/richard-huckle-given-23-life-sentences-for-abusing-malaysian-children accessed on 3 Sept 2018.

[54] *Malaysia does not have specific laws against child sexual grooming.*

[55] Adapted from ECPAT International. (2016). "Briefing Paper: Emerging Global Threats Related to the Sexual Exploitation of Children Online". Bangkok: ECPAT International. http://www.ecpat.org/wp-content/uploads/2016/05/Briefing-Paper_Emerging-global-threats-related-to-the-sexual-exploitation-of-children-online.pdf

4. Cyberbullying and Cyberstalking

Cyber-bullying as "the process of using the internet, cell phones or other devices to send or post text or images intended to hurt or embarrass another person through hostile behavior such as sending text messages and posting ugly comments on the internet."[56]

One of the cited dangers of social media is cyber bullying. Cyberbullying[57] is also a problem and can lead to the victims experiencing depression and anxiety. Cyberbullying has also been the cause of many suicides in young people in many countries. It is bad enough that there are children who are victims of negative comments by strangers and many are victimized by strangers. Many young online users are lured by online sexual predators.[58]

Cyber-bullying (the use of electronic communication to bully someone, usually by sending intimidating or threatening messages) is commonplace online, this can cause emotional trauma, and sometimes even leads to suicide. 49.5% of students reported victimization by bullying online and 33.7% admitted to online bullying.[59] A 2012 study found that at least 800,000 minors had been harassed on Facebook.[60] Middle school children who experienced cyber bullying were almost twice as likely to try to kill themselves. .A tragic example of the effects of cyberbullying can been seen in the Canadian story of Rehtaeh Parsons, who died as a result of a suicide attempt in 2013 after a sexually explicit photo of her went viral.[61]

5. Cyber-stalking

Stalking is defined as the obsessive monitoring or attention towards the victim that may harass him or her. Cyber-stalking can be done in many different ways using social media. It may include false accusation, defamation, slander and libel. It may also include monitoring, identity theft ,threats, vandalism, solicitation for sex, or getting information that may be used to threaten, embarrass or harass. [62]Sometimes, an ex-boyfriend or spouse may get angry at the breakup of a relation and use social media to pursue the victim. In another case, a relationship that was developed online gets sour and the personal information shared can be used by the stalker. Someone may also fall victim to a random cyber stalking attack. Cyber stalking refers to 'a constellation of behaviours in which one individual inflicts on another repeated unwanted intrusions and communications.'[63]Email, social networks, instant messaging, personal data available online , everything on the internet can be used by cyber stalkers to make inappropriate contact with their victims.

But don't confuse cyberstalking with social media stalking. 'Doing research' on a newly appointed colleague or newly found friend, by exploring his or her Facebook profile and Instagram feed is rather innocent. Keeping an eye on someone's activity on social media is simply getting insights into one's life without giving anything in return. While some ASEAN countries apply traditional laws such as law of tort, others have enacted specific cyberstalking laws to deal with it. These laws are relatively new and arguably still have room for improvement. Nevertheless, this legal trend draws attention to the problem and cyberstalking is treated as a criminal activity. For example, Singapore's citizens have legal defense as Protection from Harassment Act 2014, to defeat the "trolls" of the Internet after Parliament passed an anti-harassment law in 2014. Under this law, anti-social acts such as cyber harassment, bullying of children, sexual harassment in the workplace, and stalking are now deemed illegal.[64] In Malaysia, there is no specific law pertaining to cyberstalking. Section 233 of the Communications and Multimedia Act 1998 (improper use of network facilities / service) can be regulated in cyberstalking offences. Cyberstalking is more serious offence and it require to

[56] *Smith, Peter K.* (2008). *The Journal of Child Psychology and Psychiatry.* **49** (4): 376–385. *Also see on* Law and legal definition on https://definitions.uslegal.com/c/cyber-bullying/ browsed on 15 Aug 2018.

[57] For the purposes of this study the term "cyberbullying" is the use of information and communication technologies to support deliberate, repeated and hostile behavior by an individual or group that is intended to harm others. Bill Belsey. Cyberbullying Information, What Is Cyberbullying?
http://www.cyberbullying.org/pdf/Cyberbullying_Information.pdf (visited 24 Aug 2018)

[58] Uneconomic And Social Council, Economic and Social Council Resolution 2011/33 on Prevention, protection and international cooperation against the use of new information technologies to abuse and/or exploit children. Available at http://www.un.org/en/ecosoc/docs/2011/res%202011.33.pdf visited 19 Aug 2018.

[59] Lenhart A, Purcell K, Smith A, Zickuhr K. (2010). Social Media and Mobile Internet Use Among Teens and Adults. Pew Research Center Publications; Available at: http://pewinternet.org/~/media//Files/Reports/2010/PIP_Social_Media_and_Young_Adults_Report_Final_with_top lines.pdf. Accessed 9 July 2018.

[60] Ilhamie Arif. (2015). The Risks Of Using Social Media, At Http://News.Iium.Edu.My/2015/11/09/The-Risks-Of-Using-Social-Media/ Browsed On 25 Aug 2018.

[61] McMillan, E. (2015,). Rehtaeh Parsons case review finds system "failed." CBC News. Retrieved from http://www.cbc.ca/news/canada/nova-scotia/rehtaeh-parsons-case-review browsed on 25 Aug 2018.

[62] Brian Spitzberg. Gregory Hoobler. (n.d). Cyberstalking and the technologies of interpersonal terrorism new media & society. London: SAGE Publications. Vol 4 (1): 67–88.

[63] Pathe, M. and P. Mullen. (1997). 'The Impact of Stalkers on Their Victims'. *British Journal of Psychiatry.* 170. 12–17.

[64] Mong Palatino. (2014). *The diplomat*. March 2014 at https://thediplomat.com/2014/03/singapore-criminalizes-cyber-bullying-and-stalking/ browsed on 25 Aug 2018.

legislate a new legislation to counter this nefarious act. Still most of the ASEAN countries are dealing this menace by traditional decades old laws.

6.   Children Identity theft

According to the American Academy of Child and Adolescent Psychiatry, 60% of U.S. teenagers (ages 13-17) have at least one social media profile. One of the big problems with social media sites is that the children often do not fully read or understand the privacy settings of their accounts. They are unaware of the risks of disclosing unnecessary personal information. According to a recent survey, 20% of the youth think it to be perfectly safe to post their personal information and photos online. Such kids may easily become victim of the identity theft.[65]

Stanley has brought to light the disturbing fact that "child ID fraud or theft will affect 25% of kids before turning 18." Social media sites and online games and apps routinely ask children for personal information, including their dates of birth. With enough information about a child, identity thieves can create credit accounts under the child's name. This theft can be problematic for children later in their lives; by the time they, or their parents, discover that they have a negative credit history, it might be too late to repair the damage. Most parents do not check their children's credit reports, but this may be a necessary precaution.[66]

On the other end of the spectrum, social media Websites have contributed in providing new and creative ways to criminals and fraudsters to perform their crimes. They have taken the traditional crimes to whole a new level. In addition, it has become very common for criminals to boast about their crimes on social networking sites giving rise to "Performance Crimes". One particular crime that has seen a striking increase in levels , is Identity Theft.[67]

The dangers for preteens (9–12) and young teenagers (13) include risks towards: personal safety, identity theft, privacy concerns, access to disturbing and inappropriate material, social isolation, and an increase in mental health concerns such as depression, anxiety, and poor sleep.[68]

7.   Mental ill health, narcissism Emotional abuse and behavioral disorder

The definition of emotional abuse is stated in the Children and Young Persons Law Section 2 Sub Section (3) (b): "a child or young person is emotionally injured if there is substantial and observable impairment of his mental or emotional functioning that is evidenced by, amongst other things, a mental or behavioral disorder, including anxiety, depression, withdrawal, aggression or delayed development.[69]

Many children are influenced by the powerful advertising they see on social media sites, and it strongly influences their habits and mental understanding. Many of them are not aware that they are individually targeted because the sites keep track of their habits and demographics.[70]

Youngsters addicted to social media end up spending hours each day watching videos, photos and other content posted by their friends and accounts they follow. This addiction disrupts other activities such as school work, sports, study and other productive routines. They end up wasting a substantial amount of time every day resulting in poor grades in school. Some heavy users of social media admit to checking their feeds as many as 100 times a day and sometimes during school hours too. Some of the kids also realize that they are wasting a lot of time on social media and that affects their mood negatively. It also builds in them a defeatist attitude.[71]

Psychologists have also long observed bad effects of social media on the mental health of children. One finding suggests that children spending more than 3 hours a day on social media are twice as likely to suffer from poor mental health.[72] Their immersion in a virtual world delays their emotional and social development. The effects on teens are much stronger.

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[65] Steinberg, S. (2016). *Sharenting: Children's privacy in the age of social media*. University of Florida Levin College of Law Research Paper. Accessed from https://ssrn.com/abstract=2711442

[66] Stanley, M. (2017). *Child Identity Theft: A Guide For Parents*. para. 3. Accessed from https://www.forbes.com/sites/morganstanley/2017/08/02/child-identity-theft-a-guide-for-parents/#7f2103213177 browsed on 28 Aug 2018.

[67] Shareen Irshad and Tariq Rahim Soomro. (2018). Identity Theft and Social Media. *IJCSNS International Journal of Computer Science and Network Security*. Vol.18.

[68] Supra note 66, Stanley, M. (2017). *Child Identity Theft: A Guide For Parents*.

[69] Bessier, K., Kiesler, S., Kraut, R., & Bonka, S. (2008). Effects of Internet use and social resources on changes in depression. *Information, Community & Society,* 11, 47–70.

[70] Anderson, C. A., & Bushman, B. J. (2002). Psychology: The effects of media violence on society. *Science,* 295, 2377–2379.

[71] Beranuy M., Carbonell X., Griffiths M. D. (2013). A Qualitative Analysis Of Online Gaming Addicts In Treatment. *International Journal of Mental Health and Addiction*, 11(2), 149–161.

[72]Bonetti, L., Campbell, M. A., & Gilmore, L. (2010). The relationship of loneliness and social anxiety with children's and adolescents' online communication. *Cyberpsychology, Behavior and Social Networking,* 13, 279–285

One report by the IZA Institute of Labour Economics suggests that spending only an hour a day on social media can make a teen miserable.[73]

While some teenagers get affected by the pressure of having to react to posts of their friends or respond to messages, others fear not being in the social loop. Called FOMO (fear of missing out)[74], teens obsessively check their media feeds for updates by friends as they don't want to miss out on jokes, activities, parties and gossip. FOMO is also known to lead to depression and anxiety while being a major contributor to teenagers' heavy use of social media.[75] According to a study done by the Australian Psychological Society. FOMO is one of the main reasons for teenagers' heavy use of social media.[76]

8.   Selfies, Sharing own photos or video

Selfies turned into the most popular thing with the advent of camera phones. Obsession with the self ,taking selfies every hour and posting it on social media and posting endless updates on social media is also known to increase narcissism in youngsters.[77] Their moods depend heavily on how appreciated their photos are on social media and go into anxiety when they don't get the attention they expect. Some selfie addicts have been known to do dangerous things such as scale skyscrapers, pose with wild animals or weapons or stand close to moving vehicles such as trains to get a "cool" selfie which has ended fatally. Risky behaviour is also observed in teens as they participate in mass social media challenges that involve engaging in absurd or dangerous activities while filming themselves. Having their own pages makes kids more self-centred. Some vulnerable children would then live under the notion that everything revolves around them. This is a precursor to dysfunctional emotional conditions later in their life and a lack of empathy for others and more prone to feeling isolated. "Smartphone addiction is considered a category of internet addiction, as they share core risk factors," Dr. Seo[78] stated.

A recent study from Korea University found that teenagers who had been diagnosed with internet or smartphone addiction had altered their brain chemistry.[79]Perhaps the worst thing about this is that teenagers need more sleep than adults do, so night-time social media use could be detrimental to their health. Research has shown that teenagers need 9.5 hours of sleep each night but on average only get 7.5 hours.[80] Scientists found that GABA, a neurotransmitter which helps to regulate vision, motor control, and anxiety, was significantly elevated in internet addicted teens compared to non-addicted teens of the same age (with a mean age of 15.5), which led to increased drowsiness and anxiety .[81]

Positive Effects of Social Media on Children
While social media is mostly talked about in a negative light when it comes to its impact on children, there are certain very strong positive arguments in favour of social media. Social media can connect children to online global communities based on shared interests. These might be support networks for example, for young people with disability or medical conditions, teenagers who are same-sex attracted, or children from particular cultural backgrounds. There might be sites for commenting on and sharing content about particular interests like games, TV series, music or hobbies.
Here are the advantages of social media for kids include:
  i.   Spending time online on social networks is important for the younger generation to pick up on the necessary technical skills they will need to navigate their way through the future. It allows them to be competent citizens in a digital age where they can fully participate in the broader society and learn the social skills of that generation. They will also learn to adapt to having an elaborate online network of friends and acquaintances.[82]
  ii.   Social media is being used by the youth in positive ways that weren't thought of before. It is not just a medium for socializing, but kids and adolescents have found a new way to express creatively, interact, and learn with a broader

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[73] Nicole Spector. (2016). *Just One Hour a Day on Social Media Makes Teens Miserable*, at https://www.nbcnews.com/business/consumer/just-one-hour-day-social-media-makes-t browsed on 28 Aug 2018.

[74] DoSometing.org, "one of the largest organizations for young people and social change",lists several bad effects of social media, which includes sleep disorder, depression, addiction, 24/7 stress, isolation, insecurity, and fear of missing out (FOMO).

[75] Espelage, D. L., & Holt, M. K. (2013). Suicidal Ideation And School Bullying Experiences After Controlling For Depression And Delinquency. *Journal of Adolescent Health*. 53. S27–S31.

[76] Australian Phycology Society. (2015). Teens suffer highest rates of FOMO. Media Release. 8 October 2015 at https://www.psychology.org.au/news/media_releases/8Nov2015-fomo/ browsed on 25 Aug 2018.

[77] *Christian, C. W. (2015). "The Evaluation of Suspected Child Physical Abuse". Pediatrics.* **135** *(5): e1337–e1354.*

[78] Hyung Suk Seo, MD, professor of neuroradiology at Korea University in Seoul, South Korea, conducted a study

[79] *Ibid*

[80] Pavlik & MacIntoch, John and Shawn. (2015). *Converging Media.* 4th Edition. New York, NY: Oxford University Press. p. 189.

[81] Shelley Taylor. (2017). Smartphone Addiction May Cause Brain Imbalance. *Daily Bulletin*. Dec. 01, 2017 The RSNA 2017. *Daily Bulletin* is owned and published by the Radiological Society of North America, Inc., 820 Jorie Blvd., Oak Brook, IL 60523. At https://rsna2017.rsna.org/dailybulletin/index.cfm?pg=17fri08 browsed on 31 Aug 2018.

[82] Best, P., Manktelow, R., & Taylor, B. (2014). Online communication, social media and adolescent wellbeing: A systematic narrative review. *Children and Youth Services Review*. 41. 27.

audience. Students are using it to form study groups where they can easily and instantaneously share ideas and learning material.[83]

iii. Social networking has also changed the way kids learn. It has introduced a more peer-based learning method where students are motivated to learn from their peers in the group. They are always interacting and giving feedback to one another which refines their learning process. They are also more enthusiastic to learn from each other than from adults. Learning can now come from newer sources and not just their parents or teachers.[84]

iv. Not only is social media a tool to communicate, but it is also an import part of the lives of adolescents and young adults. It gives them an avenue to stay connected with their peers from sports teams, activity clubs and classes while also allowing them for networking with others having similar interests.

v. It has been observed that social media makes people more empathetic, considerate and relationship-oriented. They express how they feel by commenting or liking pictures, videos or status updates posted by their friends. They also wish more people than ever before on their birthdays.

vi. Kids maintain long-term friendships with others by staying in touch with them online even when they can no longer meet each other in person.

vii. It has been observed that virtual empathy shown by youngsters is received positively by their distressed friends on social media. It is known to improve their moods and find solutions to problems. The virtual empathy can also spill over into the real world and teach youngsters how to be more compassionate.[85]

viii. Social media offers a platform for youngsters to connect with others with whom they share similar interests. It can be anything relating to hobbies or professions involving music, art, games and blogs.

ix. They also get to have an influence on their community through their social networking groups and bring about positive changes. Some of the examples being fundraising campaigns and participating in political events and debates.

x. Social media allows youngsters to network with people from around the globe, exposing them to cultures and ideas they may not otherwise come across. It helps them acquire a broader perspective on life and people in general.

ASEAN Countries Policy, Governance and Legislation

In most ASEAN Member States, the Ministry of Social Affairs or its equivalent is the designated national lead for child protection. Inter-agency committees have been established in a number of countries to coordinate and oversee efforts to address child sexual exploitation and trafficking in persons[86]. In the Philippines, where various inter-agency bodies have been created through legislation with separate plans and budgets to implement and monitor child protection[87], a Convergence of Councils and Committees for Child Protection has been formed to mitigate concerns of duplication.[88] Brunei Darussalam and Malaysia are the only countries in the region to establish national multi-sectoral bodies to attempt to specifically and comprehensively address child online protection (COP)[89].

Brunei is one of the 195 states that have ratified the Convention on the Rights of the Child (CRC). Brunei Darussalam remains committed to its international obligations. Brunei Darussalam is already party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); and the Convention on the Rights of the Child (CRC).Brunei Darussalam has established a Child Online Protection (COP) Framework, which was handed over to the Ministry of Culture, Youth and Sports in March 2014. Brunei is the first country in the region to establish a COP Framework built upon the International Telecommunications Union (ITU) COP Initiative[90]. A COP Committee has also been established under the Ministry of Culture, Youth and Sports, constituting the key COP Framework stakeholders, including the Ministry of Finance, Ministry of Health, Ministry of Communications, Ministry of Education, Ministry of Religious Affairs, Internal Security Department, Attorney

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[83] American Academy of Pediatrics. (2011). Clinical report – The impact of social media on children, adolescents, and families. Retrieved from
http://web.mit.edu/writing/2012/July_Summary_Readings/Impact_of_Social_Media_on_Children_and_their_Families.pdf browsed on 31 Aug 2018.

[84] Thomas A. Kindermann. (2015). *Peer Group Influences on Students' Academic Motivation*. chapter appear in: Kathryn Wentzel and Geetha Ramani (Eds.) Handbook On Social Influences On Social-Emotional, Motivation, And Cognitive Outcomes In School Contexts. Available from:
https://www.researchgate.net/publication/277247733_Peer_Group_Influences_on_Students%27_Academic_Motivation accessed 22 Sept 2018.

[85] *Ibid*.

[86] UNICEF. (2015). *Legal Protection From Violence: Analysis Of Domestic Laws Related To Violence Against Children in ASEAN Member States.* Bangkok: UNICEF EAPRO.

[87] *Ibid*. p. 112.

[88] *Ibid* . Ministry of Women, Family and Community Development (MWFCD) and UNICEF Malaysia. (2013). *"Child protection system in Malaysia: An Analysis Of The System For Prevention And Response To Abuse, Violence And Exploitation Against Children"*. p. 88.

[89] Siti Zaharah binti Haji Abdul Razak and Hajah Pasah binti Haji Ahmad. (2015). "Child Online Protection Framework in Brunei Darussalam", presentation at the Regional Conference on Child Online Protection: Towards an Integrated Systems Approach. 24-25 July. Putrajaya. Malaysia.

[90] *Ibid*

General's Chambers, Royal Brunei Police Force,E-Government National Centre, Authority of Info-communications Technology Industry of Brunei Darussalam, Brunei's ASEAN Commissioner for Children, Brunei Computer Emergency ResponseTeam, and Internet Service Providers (ISPs).[91]

In early 2012, the Government of Brunei Darussalam enacted several amendments to the Penal Code (Sections 294B and 377F) in order to further curb commercial sexual exploitation among children. The Trafficking and Smuggling of Persons Order 2004 also prohibits both sex and labour trafficking, which carries stringent punishments of up to 30 years' imprisonment.[92]

In March 2013, the Child Online Protection National Strategy Framework for Brunei Darussalam was set up, consisting of a sound research base and monitoring system; capacity building for raising awareness; strengthening existing legal measures; international cooperation; and working with relevant industries.[93] In compliance with the International Telecommunication Union (ITU) COP global initiative, the Framework will address the practical and effective measures for tackling children online based on the five (5) pillars of the ITU COP, namely: Legal Measures; Technical & Procedural Measures; Organisational Structures; Capacity Building; and International Cooperation. Awareness Programmes on COP; Cyber Security; and Internet Etiquette have also been conducted in the country.[94]

In February 2015, Malaysia similarly approved a Plan of Action on COP. Among the lead ministries are the Ministry for Women, Family and Community Development; Ministry of Science, Technologyand Innovation; Ministry of Education; Ministry of Urban Wellbeing, Housing and Local Government and Ministry of Home Affairs; Malaysian Communications and Multimedia Commission, along with the Malaysian Royal Police; Attorney-General's Chamber; Department of Social Welfare and National Population and Family Development Board.[95]

Malaysia has ratified key international conventions related to child sexual abuse and exploitation although it maintains a number of reservations to the CRC. Malaysia has not signedOP3 CRC.[96]

Malaysia has enacted a number of laws related to child sexual abuse and exploitation including the Penal Code (Act 574),5 Child Act 2001 (Act 611)[97],and Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act 2007 (Act 670). [98]The Communications and Multimedia Act 1998 (Act 588),[99] Printing Press and Publications Act 1984 (Act 301),[100] and Film Censorship Act 2002 (Act 620)[101] all prohibit acts relating to obscene materials. However, offences related to 'obscene' objects attract low penalties and the act of simple possession is not criminalized.

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[91] This information is drawn from the Committee on the Rights of the Child, Brunei Darussalam", CRC/C/BRN/2-3, 13 July 2015, [104] and The World Bank and International Centre for Missing & Exploited Children, "Protecting Children from Cybercrime: Legislative Responses in Asia to Fight Child Pornography, Online Grooming and Cyberbullying", 2015, pp. 73-76.

[92] Song, Janice K. (2015). Protecting Children from Cybercrime: Legislative Responses in Asia to Fight Child Pornography, Online Grooming, and Cyberbullying.© World Bank.License: Creative Commons Attribution 3.0 IGO (CC BY 3.0 IGO).

[93] Regional Plan of Action on the Elimination of Violence against Children (ASEAN RPA on EVAC) https://violenceagainstchildren.un.org/sites/violenceagainstchildren.un.org/files/document_files/asean_regional_plan_of_action_on_elimination_of_violence_against_children_adopted.pdf accessed on 2 Sept2018

[94] Committee on the Rights of the Child, "Combined second and third periodic reports of States parties due in 2008, Brunei Darussalam", CRC/C/BRN/2-3, [133]-[134

[95] East & Southeast Asia, The World Fact book, https://www.cia.gov/library/publications/the-world-factbook/wfbExt/region_eas.html accessed on 9 Aug 2018 and also see Legislative Responses in Asia to Fight Child Pornography, Online Grooming, and Cyberbullying 2015. https://openknowledge.worldbank.org/bitstream/handle/10986/21566/944920WP00PUBL0ooming0and0Cyberbull.txt?sequence=2&isAllowed=y accessed on 2 Sept 2018.

[96] The Optional Protocol to the Convention on the Rights of the Child on a communications procedure (*OP3 CRC*) came into force on 14 April 2014.

[97] Child Act. 2001. Laws Of Malaysia. Act 611. https://www.unicef.org/malaysia/Child-Act-2001.pdf

[98] *Ibid*

[99] Communications and Multimedia Act. Interception And Disclosure Of Communications Prohibited. 234. (1) A person who, without lawful authority under this Act. https://www.unodc.org/cld/en/legislation/mys/communications_and_multimedia_act/chapter_2/article_234/article_234.html.

[100] Latest amendment of Printing Presses And Publications Act 1984, which came into operation on 15 July 2012 http://www.moha.gov.my/images/maklumat_bahagian/PQ/Act301.pdf

[101] The Film Censors 2002 (Act 620) provision which was enforced by the Film Censors Division http://www.agc.gov.my/agcportal/uploads/files/Publications/LOM/EN/Act%20620.pdf accessed on 28 Aug 2018.

In each country of ASEAN , there are a number of primary programmes and policies that relate to child sexual abuse and exploitation.[102] In Indonesia, child protection has been included as a strategic priority in the National Medium- Term Development Plan (2015-2019).[103] Some countries, such as Malaysia, Philippines and Viet Nam, have an overarching policy on children as well as a comprehensive plan on child protection. [104]Philippines among ASEAN countries, is more alert in preventive measures to accomplish it. UNICEF has commissioned few universities to undertake a comprehensive study on the scope and trends of online child abuse and exploitation.[105]

All countries in the region have legislation criminalizing 'child pornography. Brunei Darussalam, Cambodia, Philippines and Thailand include a clear definition of 'child pornography'.[106] Few countries criminalize all acts of producing; offering, supplying or making available; knowingly accessing; distributing, disseminating or transmitting; procuring; and acquiring or possessing child abuse materials. Half of ASEAN Member States (Brunei Darussalam, Indonesia, the Philippines, Singapore and Thailand) make simple possession (i.e. knowing possession regardless of the intent to distribute) of child abuse materials an offence.[107]

Sexual 'grooming' of children is criminalized in Brunei Darussalam (though only for children under 16 years of age) and in the Philippines, where it expressly includes 'through online means.[108]' It may be that abusers could be prosecuted under provisions relating to 'attempts' to commit crimes, 'incitement' to commit crimes and 'conspiracy' to commit crimes under some countries' existing national laws. The Philippines and Singapore have legislation expressly relating to cyberbullying. Viet Nam's new Penal Code includes penalties for humiliating a person and/or slander, both of which carry an aggravated penalty if committed through ICT[109].

International commitments

All ASEAN Member States are parties to the Convention on the Rights of the Child (CRC), although Brunei Darussalam, Malaysia, Singapore and Thailand maintain some reservations.[110] Except for Singapore, all ASEAN Member States are parties to the Optional Protocol to the CRC on the sale of children, child prostitution and child pornography[111]. Thailand is the only country in the region to have ratified the Optional Protocol to the CRC on a communications procedure (OP3 CRC)[112]. Except for Brunei Darussalam, all countries are State parties to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, [113]supplementing the United Nations Convention against Transnational Organized Crime (Trafficking Protocol).

Brunei's Penal Code Amendment Order 2012 has significantly strengthened the country's legislation in relation to online child abuse and exploitation, making it among the most comprehensive andup-to-date codes in the region.[114].

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[102] UNICEF. 2016. *Convention on the Rights of the Child*. http://www.unicef.org/crc/ . accessed on 2 Sept 2018.
[103] Decree Of The Minister Of Health Of The Republic Of Indonesia. Number HK.02.02/MENKES/52/2015 http://www.nationalplanningcycles.org/sites/default/files/planning_cycle_repository/indonesia/restra_2015_translated_1.pdf accessed on 28 Aug 2018.
[104]Legislative Responses in Asia to Fight Child Pornography, Online Grooming, and Cyberbullying 2015 https://openknowledge.worldbank.org/bitstream/handle/10986/21566/944920WP00PUBL0ooming0and0Cyberbull.txt?sequence=2&isAllowed=y accessed on 2 Sept 2018.
[105] UNICEF has commissioned the University of the Philippines Manila, National Institute of Health to localize and implement the EU Kids Online Survey which aims to provide an overview of children's online access, use, risk, coping and safety awareness in pilot areas. UNICEF is also supporting the Philippines to undertake a comprehensive study on the scope and trends of online child abuse and exploitation. This will be the first of its kind in the region.
[106] UNICEF East Asia and Pacific Regional Office (EAPRO). (2015). Legal Protection From Violence: Analysis Of Domestic Laws Related To Violence Against Children in ASEAN Member States Strengthening Child Protection Systems Series. No. 5 at https://www.unicef.org/eapro/ASEAN_VAC(1).pdf accessed on 2 Sept 2018.
[107] *Ibid*
[108] Alim, S. (2016). Cyberbullying in the world of teenagers and social media: A literature review. *International Journal of Cyber Behavior*. 6(2). 68-95. Retrieved from https://www.researchgate.net/publication/304536995_Cyberbullying_in_the_World_of_Teenagers_and_Social_Media_A_Literature_Review accessed on 1 Sept 2018.
[109] United Nations. (2015). Children's Fund, Legal Protection from Violence: Analysis of domestic laws related to violence against children in ASEAN member States. Bangkok: UNICEF EAPRO.
[110] UNICEF. (2014). *Hidden From Plain Sight: A Statistical Analysis of Violence against Children*. pp. 63 and 72.
[111] CRC Committee. (2013). Optional Protocol On The Sale Of Children, Child Prostitution And Child Pornography, Concluding Observations: Philippines'. 31 January. CRC/C/OPSC/PHIL/CO/1. para. 9.
[112] Best, P., Manktelow, R., & Taylor, B. (2014). Online communication, social media and adolescent wellbeing: A systematic narrative review. *Children and Youth Services Review*. 41. 27–36.
[113] See the ratification status of the CRC at Status of Ratification and Accession of the CRC, Untreaty Collection, http://treaties.un.org/Pages/ViewDetails.aspx?mtdsg_no=IV-11&chapter=4&lang=en   (visited 5 June 2018).
[114] CRC Committee. (2013). Optional Protocol On The Sale Of Children, Child Prostitution And Child Pornography, 'Concluding Observations: Philippines'. 31 January. CRC/C/OPSC/PHIL/CO/1, para. 9.

Child helpline

Child helplines are support services run specifically for children – they are usually run by civil society organisations or, sometimes, government bodies. Child helplines typically base their work on the principles of the United Nations Convention on the Rights of the Child (UNCRC).[115]

Most ASEAN Member States have a child helpline a free-of-charge service providing counselling, information, advice, and referrals to resources and emergency assistance to children as needed. This includes Child Helpline 141 in Brunei Darussalam, Child Helpline Cambodia, 129 in Indonesia, Child line Malaysia, 163 in the Philippines, Tinkle Friend in Singapore (limited to school-aged children), 1387 in Thailand and Child Helpline Viet Nam all of which are members of Child Helpline International. There is no child helpline in Myanmar (https://www.childhelplineinternational.org/wp, n.d.)[116].

In Brunei Darussalam, Malaysia, the Philippines and Viet Nam, the child helpline is also promoted as a hotline for members of the public to report cases of child sexual abuse and exploitation. At the same time, in many countries, a number of police hotlines are also widely advertised for reporting child sex offences.[117]

CONCLUSION

The objective of the study undertaken was to throw light on how effectively has the usage of social networking sites affected the children by evaluating both of its positive and negative aspects. Social media and the internet are here to stay so, as a society, we need to find ways to protect children from its harmful potential. The risks to their privacy, mental health and wellbeing, and vulnerability to cyberbullying and exploitation, needs to be mitigated through education to children as well as to their parents, caregivers, and educators. Children need to be taught effective procedures to protect their privacy and this should be appropriately modeled through good examples provided by the adults in their lives.

Protective apps and software, along with appropriate restrictions, need to be applied to social networking sites that children access most often and laws need to be in place to protect victims from further harm by the legal system through ineffective or harmful approaches. Furthermore, in order to benefit from the positive aspects of technology, children, along with their parents, need to be aware of the possible risks of social media and how to navigate them. Teaching technology has become a necessary part of a child's education. Digital skills, including safety online, must be taught from the earliest stage possible. In practice, for today's environment, this means from early primary (or elementary) school age. Across the region, child helplines need increased professional capacity to deal with online child protection issues and also increased accessibility to children via online technologies including SMS, online chat and social media.

The youth today is not only aware of what fits in best for them but are also keen and enthusiastic to draw their own priorities and fix on to which ones are most important. Similarly, these sites serve to their purpose of connecting them with people all across the globe. However, social networking sites offer them a platform to connect with new people, share experiences and gain exposure. The youth comes to terms with gaining relevant and quick information about what goes around in their near and dear ones' lives through the source of social networking sites offering them a ground to updates about cultural and social behaviour.

However, safeguarding from the negative effects, ASEAN counties need to continue its constructive role and contribution in the promotion and protection of human rights in the region, particularly through established regional frameworks in ASEAN, such as the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC). They should beefed-up its efforts in the promotion and protection of the rights of children, including continuing its measures to supervise and combat violence against children. It was surprising that child grooming have not received so much attention by the public and authorities until a pedophile Richard Huckle from United Kingdom make a confession that he had groomed and abused almost 200 Malaysian babies and children between 2006 until 2016. How such heinous crimes was continued for so long uncovered and un noticed?

That needs an immediate establishment of ASEAN Action Team on Child Protection and its branches in member's states to oversee such heinous crime such as child grooming, child pornography, child prostitution and other grave offences against children. We seldom have discussed on the measure to overcome the problem of sexual child grooming particularly on legal measure as to whether the existing legislations are sufficient to curbing this issue. The answer is "NO", still we need more stringent laws to curb this menace because this could lead to moral, emotional disorder and social problems for children as well as for their family and society at large.

Today, many people are more addicted to the social media than to their families. Many spouses spend more time on the social media with their virtual friends, instead of having time for their spouse and children. Children are even more addicted to the

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[115] Supra note 9, United Nations General Assembly Session 44 *Resolution 25. Convention on the Rights of the Child* A/RES/44/25.

[116] *Ibid* and also see https://www.childhelplineinternational.org/wpcontent/uploads/2017/04/annual_report_2014i.pdf accessed on 28 Aug 2018.

[117] UNICEF, 'Parenting support interventions for violence against children in East Asia and the Pacific: Workshop report, Manila, Philippines, 7-9 June 2016'. The content of this paragraph is drawn from the conclusions and recommendations of the Workshop report.

social media so much that they are even do not see the sense in having a real physical family. The social media has become their family, their counselor, and their whole lot. All sorts of behavior are picked from these media, and has become very detrimental to the very fabric of our religious, culture and family life.

The study also recommends the caution for family and parents such as parents should talk to their children about their online use and the specific issues that today's online children face. They should supervise children online; set limits to usage of online devices and social media; encourage children to play outside to improve mental health outcomes. They should teach children to identify cyberbullying. Discuss with families the need for a family online-use plan that involves regular family meetings to discuss online topics and checks of privacy settings and online profiles for inappropriate posts. The emphasis should be for healthy behavior and avoid punitive action, unless truly warranted. So we may safely conclude that social media has done more harm than good but we cannot afford to be indifferent from this evil in the present lifetime, well, let our children live with it with certain precautions.

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